

Notice of Allowability

Application No.

10/672,986

Examiner

Huseyin Koca

Applicant(s)

YOON, MIN-CHOL

Art Unit

3744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amedment After Non-Final Rejection.
2. ☒ The allowed claim(s) is/are 1,4 and 5.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joseph P. Krause on 01/02/2008.

The applicant has been amended as follows:

In regard to claim 1, line 34, "holes.; and" has been deleted and replaced by --holes; and--

In regard to claim 1, line 36, "member towards the second location.." has been deleted and replaced by --member towards the second location.--

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance: The prior art, Lee (5,888,055), discloses connection between a refrigerant pipe and a suction muffler of a hermetic reciprocating compressor. The prior art, Anderson, Jr. (5,081,847), teaches a variable flow restrictor. The prior art, Lee (5,988,990), discloses an apparatus for separating lubricating oil from refrigerant in a hermetic compressor. The claim 1 is allowable because the prior arts of record, do not anticipate nor render obvious the combination set forth in the independent claim, and specifically does not show a suction

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muffler comprising a flow controller; wherein the flow controller comprises a fixing member having a main refrigerant path, embodied as a first hole having a center line and forming a cylinder having a circumferential surface, and extending through the fixing member, a plurality of refrigerant sub-paths, each refrigerant sub-path embodied as a second hole having a corresponding center line and penetrating the fixing member, said second holes being located adjacent to the first hole and spaced around the first hole center line at predetermined intervals such that the second hole center lines are located on a geometric circle centered on the first hole center line, and a cylindrical space with a diameter large enough to encircle the plurality of second holes, said cylindrical space being formed under the main refrigerant path hole and the plurality of refrigerant sub-path holes; a movable member having a through hole that extends through the movable member, the through hole having a center line substantially coincident with the center line of the first hole in the fixing member, the movable member also having a plurality of second through holes formed at predetermined intervals on a geometric circuit having a diameter greater than the diameter of the geometric circle that encircles said plurality of refrigerant sub-paths, said movable member being disposed in the space of the fixing member to move between a first location that closes the plurality of refrigerant sub-paths and a second location whereat the plurality of refrigerant sub-paths are open, the movable member further comprised of a guide having an outer circumferential surface sliding and touching the circumferential surface of the main refrigerant path, the guide formed with the first through hole, and a disk of a predetermined thickness with the outer circumferential

surface sliding and touching the inner circumferential surface of the space, the disk formed with a plurality of through holes; and a resilient member resiliently supporting the movable member and biasing that member towards the second location.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huseyin Koca whose telephone number is (571) 272-3048. The examiner can normally be reached on Monday - Friday 9:00AM to 4:00PM.

4. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl Tyler can be reached on (571) 272-4834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/HK/

FRANTZ JULES
SUPERVISORY PATENT EXAMINER

A handwritten signature in black ink, appearing to read 'Frantz Jules', written over the printed name and title.